1: Hollis G-5 (ca. 1894-1904) 1905
FL12 Masai FL12

En-juñgore.

Ten ĕă ol-móruo loo-'l-Maasae, nejuñg en-gerai enye bŏtor in-dŏkitin enye pŏkin, oo 'n-gĭshu oo 'n-dare oo-'ñgorōyok nemeata 'n-gera; kake meidim aiyawa 'n-gĭshu oo 'n-dare oo-'ñgorōyok naaata 'ng-ayok.

E'ya 'n-gulye-kera naara 'ng-ayok 'n-gĭshu oo-'ng-ajijik oo-nooñgotonye.

Teni meata ol-móruo 'n-gera, nejuñg il-alashera lenyena 'n-gĭshu oo 'ñgorōyok; kake mejuñg i-ñgorōyok ol-alashe oñgárie kina, amu torono; nejuñg lekwa lemeñgárie kina, ninje oo'ya 'ñgorōyok.

Ore ten eĭu e-ñgorōyōni enye eng-ayōni to-'l-alashe lemeñgárie kina, araki te-lighae-tuñgani, neishori inna-kerai 'n-gĭshu metujuñgo, neipotyeki aajo ol-le-inna-añg.

Naa, ten ĕă ol-móruo, neiñgua e-ñgorōyōni enye eata en-gerai kake eng-ayōni, mejuñgi 'n-gĭshu enyena, epali metubulu ol-openy.

Mejuñg il-Maasae 'l-apulayani lenye, amu torono.

Inheritance.

When the father of a family dies, his eldest son inherits all his property[1], and also the herds and flocks belonging to the childless widows, but not those which are the property of widows who have sons. 428

The sons by each wife inherit the cattle belonging to their mother's family.

If a man dies childless, his brothers inherit his cattle and his half-brothers his wives. It is unlawful for a man's own brothers (i. e. brothers by the same mother) to take his wives. [587]

Should a widow have a son by her late husband's half-brother or by another man, the child is given the cattle which he would otherwise have inherited had his mother's former husband been alive, and he is considered to belong to that family. 587 428 851

If a man dies and leaves a son who is a minor, the property which he inherits is taken care of for him until he grows up[2]. 428 429

It is considered unlawful for a man to inherit the property of his maternal uncle. 428 604

[1] The Masai distribute their herds and flocks amongst their wives during their lifetime, each one being given a certain number to look after and milk. The cattle so distributed are said to belong to the wife's family, and are recognized as the property of her sons, who, however, do not assume ownership until after their father's death. [422]

[2] In a case of this kind, the child does not go to the wars, but marries soon after he is circumcised.

2: Bernardi E, M-4 (no date) 1955 FL12 Masai FL12

It is possible to consider that solidarity as a kind of class identity. This identity does not exclude the possible variations and differentiations of class-members arising from individual differentiations of talents and character, from leadership, seniority and social prestige attached to the possession of a great number of wives and a large herd of cattle. The main expressions of that identity are the use of a single name for the whole class and some special marriage regulations which apply to class members and, to some extent, to their children.

Thus, a man may not marry the daughter of a member of his own class. If he fornicates with her he is punished by his own age-mates. " His kraal is destroyed, he is severely beaten, and a number of his oxen are slaughtered ". Similarly, " if a warrior or boy commits adultery with a wife of a man belonging to his father's age-grade (or class), he is solemnly cursed by the members of that age-grade ". (HOLLIS). Furthermore, any class member when a guest of any of his age-mates, has a right to cohabit with his host's wife. MERKER, says that a widow " must not re-marry but she must live with the members of her deceased husband's class ". This " sexual communism ", as HOLLIS calls it, takes place only among members of the same class. It is limited, of course, by clan and kinship exogamy, which, even for class members, is strictly enforced.

At the performance of the *Embolosat*, *Engibata*, *Unoto*, *Ngeherr* names are given to sets instituted. Names assumed at the *Embolosat*, *Engibata*, and *Unoto* are temporary, for temporary is the nature of the set thus established. At the *Ngeherr*-proper all previous names are discarded for a single name which is final and applies to the age-class as a whole. It is this name which is handed down to the following generations. Age-class names are, as it were, the milestones by which Masai can order their past into a certain historical perspective. Class names are thus recalled when historical facts are recounted.

Lists of class-names have been recorded by our authorities. It may be of interest to reproduce here some of those lists collected by MERKER, FOX, and FOSBROOKE.[186] FOSBROOKE has attempted

has been shown them, he will enter one. When he has entered, the owner of the hut leaves him and goes to search for a place to sleep in... A Masai cannot refuse hospitality to a stranger (of his own age) for he is afraid that the other members of his age will curse him, and he will die ".

[186] MERKER, *l. c.*, p. 289; FOX, *l. c.*, pp. 450, 462; FOSBROOKE, *l. c.*, pp. 11 s.

3: Hollis G-5 (ca. 1894-1904) 1910 FL12 Masai FL12

poison is being made and when honey wine is being brewed. During the time that a man is making poison (eight days) he is treated almost as an outcast. He must leave his house at 4 a.m. and not return till 7 p.m., when he must rub clay on his body. He may not eat when the sun is above the horizon; he may only relieve nature far away from the kraal; and he must sleep alone. If he were to break any of these rules it is believed that the poison would be useless. When honey wine is to be brewed a man and a woman are selected for the purpose, neither of whom has had sexual intercourse for two days. A hut is set apart for them to live in until the honey wine is ready for drinking (six days), during which time they may not sleep together. As soon as the honey wine is ready they receive payment, and go to their respective homes. Were they to have sexual intercourse during the six days that the honey wine is brewing, it is believed that the wine would be undrinkable, and the bees that made the honey would fly away.

834 278 834 273

Mothers-in-law and their sons-in-law (*esp-aputani*) must avoid one another as much as possible, and if a son-in-law enters his mother-in-law's hut she must retire into the inner compartment and sit on the bed, whilst he remains in the outer compartment; they may then talk. Own brothers-in-law and sisters-in-law (*o-sindani le-anyil* and *e-sindani e-anyil*) must also avoid one another, though this rule does not apply to half-brothers-in-law and sisters-in-law (*o-sindani* and *e-sindani*). This rule is possibly due to the fact that when a man dies his own brother may not marry his widow, though there is no objection to his half-brother (paternal) or one of his paternal cousins taking her to wife. In fact, the only person who may marry a widow is one of the deceased husband's half-brothers or paternal cousins. It frequently happens, however, that widows never re-marry, but live with their children in the kraal of the eldest living brother of their late husband, who becomes the guardian of their children.

606 607 606 607 587 [591]

Divorce is almost unknown amongst the Masai, and it is only barren women who may be divorced. But if a woman is barren it is usual for her husband to give her some of his children by another wife to bring up. Daughters are usually selected; but if there are several sons the youngest and the youngest but two may be given to the stepmother. When a barren woman is a bad woman and is disliked by her husband and his other wives, she may be divorced, in which case her father or his heirs must refund the cattle paid for her, and she is at liberty to re-marry.

586

13:Huntingford E-4 (no date) 1953 FL12 Masai FL12

his father's home or in his own manyata. But it seems that a ceremony is performed which releases the husband from the prohibition on warriors having sexual relations with married women. 585

A widow is looked after by her husband's brother, or by one of her own brothers; she may cohabit with her husband's brother. It appears that a woman who has had children may not marry again, though one who is childless may marry her husband's half-brother, if he has one. Any children she may have after her husband's death are counted as his. 587 857 948

Polygyny

A man may have as many wives as he can pay for: one of Hollis's texts says that a rich man may have as many as 20. Actual figures show that while two wives are common, three and over are found much less often, and more than five very seldom. Each wife has her own hut in the husband's kraal, *esh-ay*, the first wife on the right of the gate as you go in, the second on the left. To each wife are allocated cattle which she holds in trust for her children. 845

Adultery

Adultery is not common, because the rules controlling sexual relations are wide and elastic. Any of a man's age-mates (members of his own *al-eji*) may have access to his wife, and though men of one age-set are not supposed to associate with the wives of another age-set, in practice this rule is little observed. A warrior is not supposed to have intercourse with a married woman, and a married woman may not have sexual relations with an uncircumcised boy. 837 684

Divorce

A wife cannot be divorced once she has borne a child, though a temporary separation may occur, the wife, if the husband is at fault, going to one of his age-mates, or, if she is at fault, to her father. 586

Adoption

In the old days, children captured in war were often adopted; and even today, children of "foreigners" (those who are not Masai) may be adopted, especially in times of famine. Such children become accepted as Masai. Under the term "adoption" is also included the practice of adopting children within the family, e.g., a father will adopt a child of his wife's which has been begotten by another man, and a barren wife may adopt a child of one of her co-wives. 547

Birth and Naming

Birth takes place in the mother's hut, where she is attended by a midwife, *esh-aiteyioni*. The women and girls of the kraal assemble, and after the child has been born they feast on an ox supplied by the father; next day another ox is killed for the rest of the people of the kraal. The mother remains in her hut till she feels strong enough to go out; the husband may not enter the hut for 10 days, nor eat in it till the child can walk. Intercourse between husband and wife stops as soon as the wife knows she is pregnant, and is not resumed till the child is weaned, when it is between one and two years old. (Hollis says till the time when it cuts the two middle incisor teeth, upper and lower.) Twins are considered very desirable, and a boy is preferred to a girl. 844 846 843 833 845

The first name is given either on the fourth day after birth, when the child is taken outside to be shown the sun, or at a feast held on the 10th day, which begins with the killing and cooking of an ox: the meat is distributed to the inhabitants of the kraal, and in the evening the mother, carrying the child on her back, milks the cows. After this, the child is named in the presence of the father and mother 553 852

/45 cont./

583 not alone, however, but with the support of a friend. The honey pot is hung on a horizontal pole, one of them grasping each end. It is not the weight of the pot that makes this method of carrying necessary, but an ancient custom, about whose meaning I have discovered
[556] nothing. Wealthy people often also pay up to four cows more than usual, which is then regarded as the highest price that may be demanded. Beauties, as well as daughters of distinguished people, that is, of wealthy and influential people, often stand above the
• [557] average price. The price for childless widows and for childless, divorced women is the same as for young girls. For a widow who bore daughters, on the other hand, only a male and a female head of cattle are paid. In order that her father does not receive bride price twice, however, he gives back from the first one as much as the second one amounts to. For the second, third, etc. wife, just as much is paid as for the first. If the bride price is in part deferred for the bridegroom, the woman nevertheless passes into his possession provisionally, and likewise the children born before the final settle-
[586] ment of the bride price belong to him. If, however, he then absolutely refuses to pay the rest, the father-in-law or the mother-in-law has the right to take back the daughter with her children in exchange for the return of what has already been paid. The cattle paid as bride price must be plain black or white. With the payment
[606] of the bride price, the bride withdraws from her family. In /46/ some lineages, however, there still prevails a -- so it seems -- formerly general custom, according to which the father-in-law does not lose the right to interfere in the domestic relations of the young couple until the son-in-law has further given him a bull. The relatives of the bridegroom need not contribute the payment of the bride price, but usually do it if it is necessary. The bride does not get a dowry, just as the bridegroom does not receive a gift from his parents or parents-in-law. If one of the betrothed dies before the
583 marriage or dissolves the betrothal, the portion of the bride price
586 that was paid is returned. If the husband turns the wife out or the marriage remains fruitless, this has no influence on the bride price paid, while a possible remainder not yet paid remains unpaid. On the other hand, if a childless woman leaves her husband, the

/47 cont./
by him one or more times, returned to him again. Although such a legally perfectly valid marriage takes place, the bridegroom in this case often pays no bride price. Moreover, the bride is not supposed to be from the lineage of the bridegroom's mother, nor should her mother belong to the lineage of the bridegroom, or her father to his age class (1)

1. Cf. Chapter IX of this part.

(ni bone) or to his age-class association (ni ɛfɔ). The bride may not be from an older age class or the same one, or a much younger one than the bridegroom.

Younger brothers are not supposed to marry before the older brother, younger sisters not before the older sister, but as a rule they can buy permission for the marriage from them by paying one or a few head of cattle, in the place of which now, when the Masai are poor in livestock, a couple of pots of honey often appear. A marriage between foster brother and sister is not permitted; this is regarded as incest. Moreover, the man may not marry two women from the same lineage; it is precisely in membership in the same lineage that consanguinity is seen, and wives of a man may not be consanguineously related.

Moreover, a marriage between relatives of blacksmiths and those of nonblacksmiths is not permitted.

Widows (a) gulial, b gulia) or divorced women who have living sons may not marry again, but live with men who belong to the age class of their deceased husband, if there is no other obstacle to marriage between them. Difference in standing is in practice an obstacle to marriage insofar as the poor man does not have enough livestock to pay the bride price for the daughter of a wealthy man. The man may not enter into a further marriage until at least two months have elapsed since his last wedding.

The wedding feast, allegedly in accordance with an ancient custom, is popularly set for the third day of the month. The wedding company consists of the relatives and friends of the bridal couple and the inhabitants of the kraal in which the bride's parents live.

/48 cont./
585 her own. Where a jus primae noctis is customary -- frequent, but not general -- it belongs to one or two old comrades-in-arms of the young husband. One who does not grant the jus primae noctis when it is claimed is insultingly called ol alomöni or ol ömischo (formed from a-lõm, that is, refuse). He refuses others what they have a right to and must expect them to steal a few head of cattle from him in the next few days without his being entitled to raise a complaint about it. One who does not want to go along with this old custom, which is said to happen, has the wedding take place without any festivity, in order to avoid it. The bridegroom simply hands over the bride price, whereupon the bride, without any ceremony, follows
[591] him into his already completed hut. This dwelling lies either in the kraal of his father or in the warrior kraal occupied by the young husband up to then and remains there until all his age mates are married; only then do the married couple build their own kraal.

/49/ After the married couple have moved into their home, the wife may not leave it for the next two days. It is customary for the husband to present her with three cows and a bull during these days, and on the third day she accompanies this livestock to the pasture, but does not stay there. During the next three days the wife does no work; not until the fourth day does she start it, and to be sure, with the milk-
[822] ing of a plain black cow. According to the Masai explanation, the plain black is the symbol for quiet seriousness, whereas bright colors signify gaiety and lightheartedness. The woman is supposed to perform her duties with seriousness and not neglect them, lightheartedly rambling about, and make her husband angry by idle gossip.

768
• 587 If the marriage is dissolved by the husband's death, the widow may, if she is willing, become the property of his eldest brother or half brother; she may live with the former, whereas the latter may marry her legally after the expiration of three or four months. Upon
586 the death of the wife, the husband pays no compensation. A divorce may be brought about if the man drives out the woman or if the woman runs away from the man and refuses to return. In the first instance, the divorce is preceded by a family consultation in which the head of the family pronounces the divorce. The woman must

/49 cont./

586 then temporarily move to her mother's, and the man has the right, in the course of the next four or five months, to state definitively
• [587] whether or not he wants to have the woman back. If he demands her return, she must obey; otherwise she may marry again at the end of
[851] the stated period of time. The parents must then pay back the full bride price to the divorced husband, though he may refuse to accept it, and, to be sure, with the legal consequence that all the children that the woman may still bear belong to him.

Her male relatives seek to persuade a runaway -- not divorced -- wife to return, at first amicably, and, if this is of no avail, by a beating in the presence of the husband, while the husband, in that he keeps the children to whom the woman gives birth, hopes to achieve her return by means of mother love. It is said that only in the rarest cases is there a lack of success, especially since no
[587] pleasant fate awaits the resisting woman. She may not legally marry
[837] again, and, if she goes to another man in order to remain with him
[851] permanently, the children arising from this affair belong to the man whom she left. Though the principle is valid that all children remain with the father, he almost always keeps only the boys and leaves the girls to the mother. The latter also takes along any male suckling and keeps him, but only until he is weaned. Then she must return him to his father. Divorce during a woman's pregnancy does not occur. If two divorced spouses wish to remarry, /50/ the woman returns to the man without any ceremony. Divorce is generally rather rare. Usually the man lets the woman from whom he wishes to be separated live peacefully in one of his huts, but he does not pay any attention
837 to her. Barrenness is not grounds for divorce, nor is marital infidelity
[586] on the part of the woman, a concept with which the Masai ethic is not familiar (1).

1. /The following footnote is a translation of the Latin of the original source./ A husband entrusts his wife to the guest at night, while he himself spends the night outside the dwelling. To keep the wife from the guest is considered insulting. Wives are accustomed to sleeping at any time with interchanged